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Agenda item 69 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Cuba:* draft resolution

The right to development

The General Assembly,

Guided by the Charter of the United Nations, which expresses, in particular, the determination to promote social progress and better standards of life in larger freedom and, to that end, to employ international mechanisms for the promotion of the economic and social advancement of all peoples,

Recalling the Universal Declaration of Human Rights,[1] as well as the International Covenant on Civil and Political Rights[2] and the International Covenant on Economic, Social and Cultural Rights,[2]

Recalling also the outcomes of all the major United Nations conferences and summits in the economic and social fields,

Recalling further that the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986, confirmed that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals who make up nations, and that the individual is the central subject and beneficiary of development,

Stressing that the Vienna Declaration and Programme of Action[3] reaffirmed the right to development as a universal and inalienable right and an integral part of

* On behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

1 Resolution 217 A (III).

2 See resolution 2200 A (XXI), annex.

3 A/CONF.157/24 (Part I), chap. III.

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fundamental human rights, and the individual as the central subject and beneficiary of development,

Reaffirming the objective of making the right to development a reality for everyone, as set out in the United Nations Millennium Declaration, adopted by the General Assembly on 8 September 2000,[4]

Deeply concerned that the majority of indigenous peoples in the world live in conditions of poverty, and recognizing the critical need to address the negative impact of poverty and inequity on indigenous peoples by ensuring their full and effective inclusion in development and poverty eradication programmes,

Reaffirming the universality, indivisibility, interrelatedness, interdependence and mutually reinforcing nature of all civil, cultural, economic, political and social rights, including the right to development,

Expressing deep concern over the lack of progress in the trade negotiations of the World Trade Organization, and reaffirming the need for a successful outcome of the Doha Development Round in key areas such as agriculture, market access for non-agricultural products, trade facilitation, development and services,

Recalling the outcome of the twelfth session of the United Nations Conference on Trade and Development, held in Accra from 20 to 25 April 2008, on the theme "Addressing the opportunities and challenges of globalization for development",[5]

Recalling also all its previous resolutions, Human Rights Council resolution 18/26 of 30 September 2011,[6] previous resolutions of the Council and those of the Commission on Human Rights on the right to development, in particular Commission resolution 1998/72 of 22 April 1998[7] on the urgent need to make further progress towards the realization of the right to development as set out in the Declaration on the Right to Development,

Recalling further that 2011 marks the twenty-fifth anniversary of the Declaration on the Right to Development,

Recalling the outcome of the eleventh session of the Working Group on the Right to Development of the Human Rights Council, held in Geneva from 26 to 30 April 2010, as contained in the report of the Working Group[8] and as referred to in the report of the Secretary-General and the United Nations High Commissioner for Human Rights on the right to development,[9]

Recalling also the Fifteenth Summit Conference of Heads of State and Government of the Movement of Non-Aligned Countries, held in Sharm el-Sheikh, Egypt, from 11 to 16 July 2009, and the previous summits and conferences at which the States members of the Movement stressed the need to operationalize the right to development as a priority,

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[4] See resolution 55/2.

[5] See TD/442 and Corr.1.

[6] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53A* (A/66/53/Add.1), chap. II.

[7] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[8] A/HRC/15/23.

[9] A/HRC/15/24.

Reiterating its continuing support for the New Partnership for Africa's Development[10] as a development framework for Africa,

Expressing its appreciation for the efforts of the Chair-Rapporteur of the Working Group on the Right to Development of the Human Rights Council and the members of the high-level task force on the implementation of the right to development in completing the 2008-2010 three-phase road map established by the Human Rights Council in its resolution 4/4 of 30 March 2007,[11]

Deeply concerned about the negative impacts of the global economic and financial crises on the realization of the right to development,

Recognizing that poverty is an affront to human dignity,

Recognizing also that extreme poverty and hunger are the greatest global threat that requires the collective commitment of the international community for its eradication, pursuant to Millennium Development Goal 1, and therefore calling upon the international community, including the Human Rights Council, to contribute towards achieving that goal,

Recognizing further that historical injustices have undeniably contributed to the poverty, underdevelopment, marginalization, social exclusion, economic disparity, instability and insecurity that affect many people in different parts of the world, in particular in developing countries,

Stressing that poverty eradication is one of the critical elements in the promotion and realization of the right to development and that poverty is a multifaceted problem that requires a multifaceted and integrated approach in addressing economic, political, social, environmental and institutional dimensions at all levels, especially in the context of the Millennium Development Goal of halving, by 2015, the proportion of the world's people whose income is less than one dollar a day and the proportion of people who suffer from hunger,

1. *Recognizes* the significance of all efforts under way and events held to commemorate the twenty-fifth anniversary of the Declaration on the Right to Development,[12] including the panel discussion on the theme "The way forward in the realization of the right to development: between policy and practice", convened during the eighteenth session of the Human Rights Council;

2. *Endorses* the conclusions and recommendations adopted by consensus by the Working Group on the Right to Development of the Human Rights Council at its eleventh session,[8] and calls for their immediate, full and effective implementation by the Office of the United Nations High Commissioner for Human Rights and other relevant actors;

3. *Supports* the realization of the mandate of the Working Group, as renewed by the Human Rights Council in its resolution 9/3 of 24 September 2008,[13]

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[10] A/57/304, annex.

[11] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. III, sect. A.

[12] Resolution 41/128, annex.

[13] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53A* (A/63/53/Add.1), chap. I.

with the recognition that the Working Group will convene annual sessions of five working days and submit its reports to the Council;

4. *Emphasizes* the relevant provisions of General Assembly resolution 60/251 of 15 March 2006 establishing the Human Rights Council, and in this regard calls upon the Council to implement the agreement to continue to act to ensure that its agenda promotes and advances sustainable development and the achievement of the Millennium Development Goals, and also in this regard to lead to raising the right to development, as set out in paragraphs 5 and 10 of the Vienna Declaration and Programme of Action,[3] to the same level as and on a par with all other human rights and fundamental freedoms;

5. *Takes note* of the efforts under way in the framework of the Working Group, with a view to completing the tasks entrusted to it by the Human Rights Council in its resolution 4/4, and reaffirms the conclusions and recommendations of the Working Group agreed at its eleventh session;[14]

6. *Also takes note* of the work of the high-level task force on the implementation of the right to development, the mandate of which ended in 2010, including its consolidation of findings and the list of right to development criteria and corresponding operational sub-criteria;[15]

7. *Recalls* that the Working Group will consider at its twelfth session the two compilations of views received from Governments, groups of Governments and regional groups, and from other stakeholders, on the work of the high-level task force;

8. *Stresses* the importance that views requested of Member States and relevant stakeholders on the work of the high-level task force and the way forward take into consideration the essential features of the right to development, using as a reference the Declaration on the Right to Development[12] and resolutions on the right to development of the Commission on Human Rights, the Human Rights Council and the General Assembly;

9. *Also stresses* that the above-mentioned compilations of views, criteria and corresponding operational sub-criteria, once considered, revised and endorsed by the Working Group, should be used, as appropriate, in the elaboration of a comprehensive and coherent set of standards for the implementation of the right to development;

10. *Emphasizes* the importance of the Working Group taking appropriate steps to ensure respect for and practical application of the above-mentioned standards, which could take various forms, including the elaboration of guidelines on the implementation of the right to development, and to develop the standards into a basis for consideration of an international legal standard of a binding nature, through a collaborative process of engagement;

11. *Stresses* the importance of the core principles contained in the conclusions of the Working Group at its third session,[16] congruent with the purpose of international human rights instruments, such as equality, non-discrimination, accountability, participation and international cooperation, as critical to

[14] See A/HRC/15/23, paras. 45-47.

[15] See A/HRC/15/WG.2/TF/2 and Corr.1 and Add.1 and Corr.1 and Add. 2.

[16] See E/CN.4/2002/28/Rev.1, sect. VIII.A.

mainstreaming the right to development at the national and international levels, and underlines the importance of the principles of equity and transparency;

12. *Also stresses* that it is important that the high-level task force and the Working Group, in the discharge of their mandates, take into account the need:

(a) To promote the democratization of the system of international governance in order to increase the effective participation of developing countries in international decision-making;

(b) To also promote effective partnerships such as the New Partnership for Africa's Development[10] and other similar initiatives with the developing countries, particularly the least developed countries, for the purpose of the realization of their right to development, including the achievement of the Millennium Development Goals;

(c) To strive for greater acceptance, operationalization and realization of the right to development at the international level, while urging all States to undertake at the national level the necessary policy formulation and to institute the measures required for the implementation of the right to development as an integral part of fundamental human rights, and also urging all States to expand and deepen mutually beneficial cooperation in ensuring development and eliminating obstacles to development in the context of promoting effective international cooperation for the realization of the right to development, bearing in mind that lasting progress towards the implementation of the right to development requires effective development policies at the national level and a favourable economic environment at the international level;

(d) To consider ways and means to continue to ensure the operationalization of the right to development as a priority;

(e) To mainstream the right to development in the policies and operational activities of the United Nations and the specialized agencies, funds and programmes, as well as in the policies and strategies of the international financial and multilateral trading systems, bearing in mind in this regard that the core principles of the international economic, commercial and financial spheres, such as equity, non-discrimination, transparency, accountability, participation and international cooperation, including effective partnerships for development, are indispensable in achieving the right to development and preventing discriminatory treatment arising from political or other non-economic considerations in addressing the issues of concern to the developing countries;

13. *Encourages* the Human Rights Council to continue considering how to ensure follow-up to the work of the former Subcommission on the Promotion and Protection of Human Rights on the right to development, in accordance with the relevant provisions of the resolutions adopted by the General Assembly and the Commission on Human Rights and in compliance with decisions to be taken by the Council;

14. *Invites* Member States and all other stakeholders to participate actively in future sessions of the Social Forum, while recognizing the strong support extended to the Forum at its first four sessions by the Subcommission on the Promotion and Protection of Human Rights;

15. *Reaffirms* the commitment to implement the goals and targets set out in all the outcome documents of the major United Nations conferences and summits and their review processes, in particular those relating to the realization of the right to development, recognizing that the realization of the right to development is critical to achieving the objectives, goals and targets set in those outcome documents;

16. *Also reaffirms* that the realization of the right to development is essential to the implementation of the Vienna Declaration and Programme of Action, which regards all human rights as universal, indivisible, interdependent and interrelated, places the human person at the centre of development and recognizes that, while development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights;

17. *Stresses* that the primary responsibility for the promotion and protection of all human rights lies with the State, and reaffirms that States have the primary responsibility for their own economic and social development and that the role of national policies and development strategies cannot be overemphasized;

18. *Reaffirms* the primary responsibility of States to create national and international conditions favourable to the realization of the right to development, as well as their commitment to cooperate with each other to that end;

19. *Also reaffirms* the need for an international environment that is conducive to the realization of the right to development;

20. *Stresses* the need to strive for greater acceptance, operationalization and realization of the right to development at the international and national levels, and calls upon States to institute the measures required for the implementation of the right to development as an integral part of fundamental human rights;

21. *Emphasizes* the critical importance of identifying and analysing obstacles impeding the full realization of the right to development at both the national and the international levels;

22. *Affirms* that, while globalization offers both opportunities and challenges, the process of globalization remains deficient in achieving the objectives of integrating all countries into a globalized world, and stresses the need for policies and measures at the national and global levels to respond to the challenges and opportunities of globalization if this process is to be made fully inclusive and equitable;

23. *Recognizes* that, despite continuous efforts on the part of the international community, the gap between developed and developing countries remains unacceptably wide, that most of the developing countries continue to face difficulties in participating in the globalization process and that many risk being marginalized and effectively excluded from its benefits;

24. *Expresses its deep concern*, in this regard, about the negative impact on the realization of the right to development due to the further aggravation of the economic and social situation, in particular of developing countries, as a result of the ongoing international energy, food and financial crises, as well as the increasing challenges posed by global climate change and the loss of biodiversity, which have

increased vulnerabilities and inequalities and have adversely affected development gains, in particular in developing countries;

25. *Underlines* the fact that the international community is far from meeting the target set in the United Nations Millennium Declaration[4] of halving the number of people living in poverty by 2015, reaffirms the commitment made to meet that target, and emphasizes the principle of international cooperation, including partnership and commitment, between developed and developing countries towards achieving the goal;

26. *Urges* developed countries that have not yet done so to make concrete efforts towards meeting the targets of 0.7 per cent of their gross national product for official development assistance to developing countries and 0.15 to 0.2 per cent of their gross national product to least developed countries, and encourages developing countries to build on the progress achieved in ensuring that official development assistance is used effectively to help to meet development goals and targets;

27. *Recognizes* the need to address market access for developing countries, including in agriculture, services and non-agricultural products, in particular those of interest to developing countries;

28. *Calls once again for* the implementation of a desirable pace of meaningful trade liberalization, including in areas under negotiation in the World Trade Organization; the implementation of commitments on implementation-related issues and concerns; a review of special and differential treatment provisions, with a view to strengthening them and making them more precise, effective and operational; the avoidance of new forms of protectionism; and capacity-building and technical assistance for developing countries as important issues in making progress towards the effective implementation of the right to development;

29. *Recognizes* the important link between the international economic, commercial and financial spheres and the realization of the right to development; stresses in this regard the need for good governance and for broadening the base of decision-making at the international level on issues of development concern and the need to fill organizational gaps, as well as to strengthen the United Nations system and other multilateral institutions; and also stresses the need to broaden and strengthen the participation of developing countries and countries with economies in transition in international economic decision-making and norm-setting;

30. *Also recognizes* that good governance and the rule of law at the national level assist all States in the promotion and protection of human rights, including the right to development, and agrees on the value of the ongoing efforts being made by States to identify and strengthen good governance practices, including transparent, responsible, accountable and participatory government, that are responsive and appropriate to their needs and aspirations, including in the context of agreed partnership approaches to development, capacity-building and technical assistance;

31. *Further recognizes* the important role and the rights of women and the application of a gender perspective as a cross-cutting issue in the process of realizing the right to development, and notes in particular the positive relationship between women's education and their equal participation in the civil, cultural, economic, political and social activities of the community and the promotion of the right to development;

32. *Stresses* the need for the integration of the rights of children, girls and boys alike, in all policies and programmes and for ensuring the promotion and protection of those rights, especially in areas relating to health, education and the full development of their capacities;

33. *Welcomes* the Political Declaration on HIV and AIDS: Intensifying Our Efforts to Eliminate HIV and AIDS, adopted at the High-level Meeting on HIV and AIDS of the General Assembly on 10 June 2011,[17] stresses that further and additional measures must be taken at the national and international levels to fight HIV and AIDS and other communicable diseases, taking into account ongoing efforts and programmes in accordance with that Declaration, as well as the 2001 Declaration of Commitment on HIV/AIDS[18] and the 2006 Political Declaration on HIV/AIDS,[19] and reiterates the need for international assistance in this regard;

34. *Also welcomes* the Political Declaration of the High-level Meeting of the General Assembly on the Prevention and Control of Non-communicable Diseases, of 19 September 2011,[20] with a particular focus on developmental and other challenges and social and economic impacts, particularly for developing countries;

35. *Recalls* the Convention on the Rights of Persons with Disabilities,[21] which entered into force on 3 May 2008, and stresses the need to take into consideration the rights of persons with disabilities and the importance of international cooperation in the realization of the right to development;

36. *Stresses its commitment* to indigenous peoples in the process of the realization of the right to development, and reaffirms the commitment to promote their rights in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security, in accordance with recognized international human rights obligations and taking into account, as appropriate, the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly in its resolution 61/295 of 13 September 2007;

37. *Recognizes* the need for strong partnerships with civil society organizations and the private sector in pursuit of poverty eradication and development, as well as for corporate social responsibility;

38. *Emphasizes* the urgent need for taking concrete and effective measures to prevent, combat and criminalize all forms of corruption at all levels, to prevent, detect and deter in a more effective manner international transfers of illicitly acquired assets and to strengthen international cooperation in asset recovery, consistent with the principles of the United Nations Convention against Corruption,[22] particularly chapter V thereof, stresses the importance of a genuine political commitment on the part of all Governments through a firm legal framework, and in this context urges States to sign and ratify the Convention as soon as possible and States parties to implement it effectively;

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[17] Resolution 65/277, annex.
[18] Resolution S-26/2, annex.
[19] Resolution 60/262, annex.
[20] Resolution 66/2, annex.
[21] Resolution 61/106, annex I.
[22] United Nations, *Treaty Series*, vol. 2349, No. 42146.

39. *Also emphasizes* the need to strengthen further the activities of the Office of the United Nations High Commissioner for Human Rights in the promotion and realization of the right to development, including by ensuring effective use of the financial and human resources necessary to fulfil its mandate, and calls upon the Secretary-General to provide the Office of the High Commissioner with the necessary resources;

40. *Reaffirms* the request to the United Nations High Commissioner for Human Rights, in mainstreaming the right to development, to undertake effectively activities aimed at strengthening the global partnership for development between Member States, development agencies and the international development, financial and trade institutions, and to reflect those activities in detail in her next report to the Human Rights Council;

41. *Reaffirms* the request to the Office of the High Commissioner, in consultation with States Members of the United Nations and other relevant stakeholders, to continue the commemoration of the twenty-fifth anniversary of the Declaration on the Right to Development in 2011;

42. *Calls upon* the United Nations funds and programmes, as well as the specialized agencies, to mainstream the right to development in their operational programmes and objectives, and stresses the need for the international financial and multilateral trading systems to mainstream the right to development in their policies and objectives;

43. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs and bodies, specialized agencies, funds and programmes, international development and financial institutions, in particular the Bretton Woods institutions, and non-governmental organizations;

44. *Also requests* the Secretary-General to submit a report to the General Assembly at its sixty-seventh session and an interim report to the Human Rights Council on the implementation of the present resolution, including efforts undertaken at the national, regional and international levels in the promotion and realization of the right to development, and invites the Chair-Rapporteur of the Working Group on the Right to Development to present a verbal update to the Assembly at its sixty-seventh session.

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Cuba:* draft resolution

Human rights and unilateral coercive measures

The General Assembly,

Recalling all its previous resolutions on this subject, the most recent of which was resolution 65/217 of 21 December 2010, Human Rights Council resolution 15/24 of 1 October 2010[1] and decision 18/120 of 30 September 2011,[2] as well as previous resolutions of the Council and the Commission on Human Rights,

Reaffirming the pertinent principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 thereof, in which it declared that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Taking note of the report of the Secretary-General submitted pursuant to General Assembly resolution 65/217[3] and the reports of the Secretary-General on the implementation of Assembly resolutions 52/120 of 12 December 1997[4] and 55/110 of 4 December 2000,[5]

* On behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

[1] See *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 53A* (A/65/53/Add.1), chap. II.

[2] Ibid., *Sixty-sixth Session, Supplement No. 53A* (A/66/53/Add.1).

[3] A/66/272.

[4] A/53/293 and Add.1.

[5] A/56/207 and Add.1.

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Stressing that unilateral coercive measures and legislation are contrary to international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States,

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights, and in this regard reaffirming the right to development as an integral part of all human rights,

Recalling the Final Document of the Sixteenth Ministerial Conference and Commemorative Meeting of the Movement of Non-Aligned Countries, held in Bali, Indonesia, from 23 to 27 May 2011,[6] the Final Document of the Fifteenth Summit Conference of Heads of State and Government of the Movement of Non-Aligned Countries, held in Sharm el-Sheikh, Egypt, from 11 to 16 July 2009,[7] and those adopted at previous summits and conferences, in which States members of the Movement agreed to oppose and condemn those measures or laws and their continued application, persevere with efforts to effectively reverse them and urge other States to do likewise, as called for by the General Assembly and other United Nations organs, and request States applying those measures or laws to revoke them fully and immediately,

Recalling also that, at the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993, States were called upon to refrain from any unilateral measure not in accordance with international law and the Charter that creates obstacles to trade relations among States and impedes the full realization of all human rights[8] and also severely threatens the freedom of trade,

Bearing in mind all the references to this question in the Copenhagen Declaration on Social Development adopted by the World Summit for Social Development on 12 March 1995,[9] the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women on 15 September 1995,[10] the Istanbul Declaration on Human Settlements and the Habitat Agenda adopted by the second United Nations Conference on Human Settlements (Habitat II) on 14 June 1996,[11] and their five-year reviews,

Expressing concern about the negative impact of unilateral coercive measures on international relations, trade, investment and cooperation,

Expressing grave concern that, in some countries, the situation of children is adversely affected by unilateral coercive measures not in accordance with international law and the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women, children, including adolescents, the elderly and persons with disabilities,

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[6] A/65/896-S/2011/407, annex I.

[7] A/63/965-S/2009/514, annex.

[8] See A/CONF.157/24 (Part I), chap. III.

[9] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[10] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[11] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3-14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annexes I and II.

Deeply concerned that, despite the recommendations adopted on this question by the General Assembly, the Human Rights Council, the Commission on Human Rights and recent major United Nations conferences, and contrary to general international law and the Charter, unilateral coercive measures continue to be promulgated and implemented, with all their negative implications for the social humanitarian activities and economic and social development of developing countries, including their extraterritorial effects, thereby creating additional obstacles to the full enjoyment of all human rights by peoples and individuals under the jurisdiction of other States,

Bearing in mind all the extraterritorial effects of any unilateral legislative, administrative and economic measures, policies and practices of a coercive nature against the development process and the enhancement of human rights in developing countries, which create obstacles to the full realization of all human rights,

Reaffirming that unilateral coercive measures are a major obstacle to the implementation of the Declaration on the Right to Development,[12]

Recalling article 1, paragraph 2, common to the International Covenant on Civil and Political Rights[13] and the International Covenant on Economic, Social and Cultural Rights,[13] which provides, inter alia, that in no case may a people be deprived of its own means of subsistence,

Noting the continuing efforts of the open-ended Working Group on the Right to Development of the Human Rights Council, and reaffirming in particular its criteria, according to which unilateral coercive measures are one of the obstacles to the implementation of the Declaration on the Right to Development,

1. *Urges* all States to cease adopting or implementing any unilateral measures not in accordance with international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States, in particular those of a coercive nature, with all their extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights[14] and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Also urges* all States not to adopt any unilateral measures not in accordance with international law and the Charter that impede the full achievement of economic and social development by the population of the affected countries, in particular children and women, that hinder their well-being and that create obstacles to the full enjoyment of their human rights, including the right of everyone to a standard of living adequate for his or her health and well-being and his or her right to food, medical care and education and the necessary social services, as well as to ensure that food and medicine are not used as tools for political pressure;

3. *Strongly objects* to the extraterritorial nature of those measures which, in addition, threaten the sovereignty of States, and in this context calls upon all Member States neither to recognize those measures nor to apply them, as well as to

[12] Resolution 41/128, annex.

[13] See resolution 2200 A (XXI), annex.

[14] Resolution 217 A (III).

take administrative or legislative measures, as appropriate, to counteract the extraterritorial applications or effects of unilateral coercive measures;

4. *Condemns* the continuing unilateral application and enforcement by certain Powers of unilateral coercive measures, and rejects those measures, with all their extraterritorial effects, as being tools for political or economic pressure against any country, in particular against developing countries, adopted with a view to preventing those countries from exercising their right to decide, of their own free will, their own political, economic and social systems, and because of the negative effects of those measures on the realization of all the human rights of vast sectors of their populations, in particular children, women, the elderly and persons with disabilities;

5. *Reaffirms* that essential goods such as food and medicines should not be used as tools for political coercion and that under no circumstances should people be deprived of their own means of subsistence and development;

6. *Calls upon* Member States that have initiated such measures to abide by the principles of international law, the Charter, the declarations of the United Nations and world conferences and relevant resolutions and to commit themselves to their obligations and responsibilities arising from the international human rights instruments to which they are parties by revoking such measures at the earliest possible time;

7. *Reaffirms*, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

8. *Recalls* that, according to the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, contained in the annex to General Assembly resolution 2625 (XXV) of 24 October 1970, and the relevant principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the Assembly in its resolution 3281 (XXIX), in particular article 32 thereof, no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind;

9. *Rejects* all attempts to introduce unilateral coercive measures, and urges the Human Rights Council to take fully into account the negative impact of those measures, including through the enactment of national laws and their extraterritorial application which are not in conformity with international law, in its task concerning the implementation of the right to development;

10. *Requests* the United Nations High Commissioner for Human Rights, in discharging her functions relating to the promotion, realization and protection of the right to development and bearing in mind the continuing impact of unilateral coercive measures on the population of developing countries, to give priority to the present resolution in her annual report to the General Assembly;

11. *Underlines* the fact that unilateral coercive measures are one of the major obstacles to the implementation of the Declaration on the Right to Development,[12] and in this regard calls upon all States to avoid the unilateral imposition of economic coercive measures and the extraterritorial application of domestic laws

that run counter to the principles of free trade and hamper the development of developing countries, as recognized by the Working Group on the Right to Development of the Human Rights Council;

12. *Recognizes* that, in the Declaration of Principles adopted at the first phase of the World Summit on the Information Society, held in Geneva from 10 to 12 December 2003,[15] States were strongly urged to avoid and refrain from any unilateral measure not in accordance with international law and the Charter of the United Nations in building the information society;

13. *Reiterates its support* for the invitation of the Human Rights Council to all special rapporteurs and existing thematic mechanisms of the Council in the field of economic, social and cultural rights to pay due attention, within the scope of their respective mandates, to the negative impact and consequences of unilateral coercive measures;

14. *Reaffirms* the request of the Human Rights Council that the Office of the United Nations High Commissioner for Human Rights prepare a thematic study on the impact of unilateral coercive measures on the enjoyment of human rights, including recommendations on actions aimed at ending such measures, taking into account all previous reports, resolutions and relevant information available to the United Nations system in this regard, to be submitted to the Council at its nineteenth session;

15. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States, to continue to collect their views and information on the implications and negative effects of unilateral coercive measures on their populations and to submit an analytical report thereon to the General Assembly at its sixty-seventh session, while reiterating once again the need to highlight the practical and preventive measures in this respect;

16. *Decides* to examine the question on a priority basis at its sixty-seventh session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

[15] A/C.2/59/3, annex, chap. I, sect. A.

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Sixty-sixth session
Third Committee
Agenda item 69 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Belarus, Bolivia (Plurinational State of), Cuba, El Salvador, Nicaragua and Venezuela (Bolivarian Republic of): draft resolution

Strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Bearing in mind that among the purposes of the United Nations are those of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and taking other appropriate measures to strengthen universal peace, as well as achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Desirous of achieving further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that such international cooperation should be based on the principles embodied in international law, especially the Charter of the United Nations, as well as the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other relevant instruments,

Deeply convinced that United Nations action in the field of human rights should be based not only on a profound understanding of the broad range of problems existing in all societies but also on full respect for the political, economic

[1] Resolution 217 A (III).
[2] Resolution 2200 A (XXI), annex.

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and social realities of each of them, in strict compliance with the purposes and principles of the Charter and for the basic purpose of promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,

Recalling its previous resolutions in this regard,

Reaffirming the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, as affirmed in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[3] and the elimination of double standards,

Reaffirming also the importance of Human Rights Council resolution 5/2 entitled "Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council", of 18 June 2007, and stressing that all mandate-holders shall discharge their duties in accordance with the relevant resolutions and the annexes thereto,

Reaffirming further the importance of the objectivity, independence, impartiality and discretion of the special rapporteurs and representatives on thematic issues and on countries, as well as of the members of the working groups, in carrying out their mandates,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, especially the Charter, as well as various international instruments in the field of human rights,

1. *Reiterates* that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. *Reaffirms* that it is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. *Calls upon* all Member States to base their activities for the promotion and protection of human rights, including the development of further international cooperation in this field, on the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenant on Economic, Social and Cultural Rights,[2] the International Covenant on Civil and Political Rights[2] and other relevant international instruments, and to refrain from activities that are inconsistent with that international framework;

4. *Considers* that international cooperation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

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[3] A/CONF.157/24 (Part I), chap. III.

5. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms for all, as a legitimate concern of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends;

6. *Requests* all human rights bodies within the United Nations system, as well as the special rapporteurs and representatives, independent experts and working groups, to take duly into account the contents of the present resolution in carrying out their mandates;

7. *Expresses its conviction* that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

8. *Stresses*, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

9. *Invites* Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under international law, especially the Charter, and international human rights instruments, the measures that they may deem appropriate to achieve further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms;

10. *Requests* the Human Rights Council to continue taking duly into account the present resolution and to consider further proposals for the strengthening of United Nations action in the field of human rights through the promotion of international cooperation and the importance of the principles of non-selectivity, impartiality and objectivity, including in the context of the universal periodic review;

11. *Requests* the Secretary-General to invite Member States and intergovernmental and non-governmental organizations to present further practical proposals and ideas that would contribute to the strengthening of United Nations action in the field of human rights through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity, and to submit a comprehensive report on the question to the General Assembly at its sixty-eighth session;

12. *Decides* to consider the matter at its sixty-eighth session under the item entitled "Promotion and protection of human rights".

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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Belarus, Bolivia (Plurinational State of), Brazil, Cuba, El Salvador, Grenada, Guatemala, Nicaragua, Saint Vincent and the Grenadines and Venezuela (Bolivarian Republic of): draft resolution

The right to food

The General Assembly,

Reaffirming all previous resolutions and decisions on the right to food adopted within the framework of the United Nations,

Recalling the Universal Declaration of Human Rights,[1] which provides that everyone has the right to a standard of living adequate for her or his health and well-being, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition[2] and the United Nations Millennium Declaration,[3] in particular Millennium Development Goal 1 on eradicating extreme poverty and hunger by 2015,

Recalling also the provisions of the International Covenant on Economic, Social and Cultural Rights,[4] in which the fundamental right of every person to be free from hunger is recognized,

Bearing in mind the Rome Declaration on World Food Security and the World Food Summit Plan of Action[5] and the Declaration of the World Food Summit: five years later, adopted in Rome on 13 June 2002,[6]

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[1] Resolution 217 A (III).

[2] *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

[3] See resolution 55/2.

[4] See resolution 2200 A (XXI), annex.

[5] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit, 13-17 November 1996* (WFS 96/REP), part one, appendix.

[6] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit: five years later, 10-13 June 2002*, part one, appendix; see also A/57/499, annex.

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Reaffirming the concrete recommendations contained in the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,[7]

Reaffirming also the Five Rome Principles for Sustainable Global Food Security contained in the Declaration of the World Summit on Food Security, adopted in Rome on 16 November 2009,[8]

Reaffirming further that all human rights are universal, indivisible, interdependent and interrelated, and that they must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming that a peaceful, stable and enabling political, social and economic environment, at both the national and the international levels, is the essential foundation that will enable States to give adequate priority to food security and poverty eradication,

Reiterating, as in the Rome Declaration on World Food Security and the Declaration of the World Food Summit: five years later, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity, as well as the necessity of refraining from unilateral measures that are not in accordance with international law and the Charter of the United Nations and that endanger food security,

Convinced that each State must adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained in the Rome Declaration on World Food Security and the World Food Summit Plan of Action and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food security in a world of increasingly interlinked institutions, societies and economies where coordinated efforts and shared responsibilities are essential,

Recognizing that the complex character of the global food crisis, in which the right to adequate food is threatened to be violated on a massive scale, is a combination of several major factors, such as the global financial and economic crisis, environmental degradation, desertification and the impacts of global climate change, as well as natural disasters and the lack in many countries of the appropriate technology, investment and capacity-building necessary to confront its impact, particularly in developing countries, least developed countries and small island developing States,

Resolved to act to ensure that the human rights perspective is taken into account at the national, regional and international levels in measures to address the global food crisis,

Expressing its deep concern at the number and scale of natural disasters, diseases and pests and their increasing impact in recent years, which have resulted in massive loss of life and livelihood and threatened agricultural production and food security, in particular in developing countries,

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[7] Food and Agriculture Organization of the United Nations, *Report of the Council of FAO, One Hundred and Twenty-seventh Session, Rome, 22-27 November 2004* (CL 127/REP), appendix D; see also E/CN.4/2005/131, annex.

[8] See Food and Agriculture Organization of the United Nations, document WSFS 2009/2.

Stressing the importance of reversing the continuing decline of official development assistance devoted to agriculture, both in real terms and as a share of total official development assistance,

Recognizing the importance of the protection and preservation of agrobiodiversity in guaranteeing food security and the right to food for all,

Recognizing also the role of the Food and Agriculture Organization of the United Nations as the key United Nations agency for rural and agricultural development and its work in supporting the efforts of Member States to achieve the full realization of the right to food, including through its provision of technical assistance to developing countries in support of the implementation of national priority frameworks,

Taking note of the final Declaration adopted at the International Conference on Agrarian Reform and Rural Development of the Food and Agriculture Organization of the United Nations in Porto Alegre, Brazil, on 10 March 2006,[9]

Acknowledging the High-level Task Force on the Global Food Security Crisis established by the Secretary-General, and supporting the Secretary-General in his continuing efforts in this regard, including continued engagement with Member States and the Special Rapporteur of the Human Rights Council on the right to food,

1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and therefore requires the adoption of urgent measures at the national, regional and international levels for its elimination;

2. *Also reaffirms* the right of everyone to have access to safe, sufficient and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain his or her physical and mental capacities;

3. *Considers it intolerable* that, as estimated by the United Nations Children's Fund, more than one third of the children who die every year before the age of 5 do so from hunger-related illness, and that, as estimated by the Food and Agriculture Organization of the United Nations, the number of people who are undernourished is about 925 million worldwide, and that an additional 1 billion people are suffering from serious malnutrition, including as a result of the global food crisis, while, according to the latter organization, the planet could produce enough food to feed everyone around the world;

4. *Considers it alarming* that in 2010 and 2011 rising food prices have pushed nearly 70 million people into extreme poverty;

5. *Expresses its concern* at the fact that the effects of the world food crisis continue to have serious consequences on the most vulnerable people, particularly in developing countries, which have been further aggravated by the world economic and financial crisis, and at the particular effects of this crisis on many net food-importing countries, especially on least developed countries in Africa, Asia, Latin America and the Caribbean, in particular currently in the Horn of Africa;

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[9] Food and Agriculture Organization of the United Nations, *Report of the International Conference on Agrarian Reform and Rural Development, Porto Alegre, Brazil, 7-10 March 2006* (C 2006/REP), appendix G.

6. *Expresses its concern* that women and girls are disproportionately affected by hunger, food insecurity and poverty, in part as a result of gender inequality and discrimination, that in many countries, girls are twice as likely as boys to die from malnutrition and preventable childhood diseases and that it is estimated that almost twice as many women as men suffer from malnutrition;

7. *Encourages* all States to take action to address gender inequality and discrimination against women, in particular where it contributes to the malnutrition of women and girls, including measures to ensure the full and equal realization of the right to food and ensuring that women have equal access to resources, including income, land and water and their ownership, as well as full and equal access to education, science and technology, to enable them to feed themselves and their families;

8. *Encourages* the Special Rapporteur of the Human Rights Council on the right to food to continue mainstreaming a gender perspective in the fulfilment of his mandate, and encourages the Food and Agriculture Organization of the United Nations and all other United Nations bodies and mechanisms addressing the right to food and food insecurity to integrate a gender perspective into their relevant policies, programmes and activities;

9. *Reaffirms* the need to ensure that programmes delivering safe and nutritious food are inclusive of and accessible to persons with disabilities;

10. *Encourages* all States to take steps with a view to achieving progressively the full realization of the right to food, including steps to promote the conditions for everyone to be free from hunger and, as soon as possible, to enjoy fully the right to food, and to create and adopt national plans to combat hunger;

11. *Recognizes* the advances reached through South-South cooperation in developing countries and regions in connection with food security and the development of agricultural production for the full realization of the right to food;

12. *Stresses* that improving access to productive resources and public investment in rural development are essential for eradicating hunger and poverty, in particular in developing countries, including through the promotion of investments in appropriate small-scale irrigation and water management technologies in order to reduce vulnerability to droughts;

13. *Recognizes* that 80 per cent of hungry people live in rural areas and 50 per cent are small-scale farm-holders, and that these people are especially vulnerable to food insecurity, given the increasing cost of inputs and the fall in farm incomes; that access to land, water, seeds and other natural resources is an increasing challenge for poor producers; that sustainable and gender-sensitive agricultural policies are important tools for promoting land and agrarian reform, rural credit and insurance, technical assistance and other associated measures to achieve food security and rural development; and that support by States for small farmers, fishing communities and local enterprises, including through the facilitation of access of their products to national and international markets, is a key element for food security and the provision of the right to food;

14. *Stresses* the importance of fighting hunger in rural areas, including through national efforts supported by international partnerships to stop desertification and land degradation and through investments and public policies that are

specifically appropriate to the risk of drylands, and in this regard calls for the full implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;[10]

15. *Urges* States that have not yet done so to favourably consider becoming parties to the Convention on Biological Diversity[11] and to consider becoming parties to the International Treaty on Plant Genetic Resources for Food and Agriculture[12] as a matter of priority;

16. *Recalls* the United Nations Declaration on the Rights of Indigenous Peoples[13] and acknowledges that many indigenous organizations and representatives of indigenous peoples have expressed in different forums their deep concerns over the obstacles and challenges they face for the full enjoyment of the right to food, and calls upon States to take special actions to combat the root causes of the disproportionately high level of hunger and malnutrition among indigenous peoples and the continuous discrimination against them;

17. *Notes* the need to further examine various concepts such as, inter alia, "food sovereignty" and their relation with food security and the right to food, bearing in mind the need to avoid any negative impact on the enjoyment of the right to food for all people at all times;

18. *Requests* all States and private actors, as well as international organizations within their respective mandates, to take fully into account the need to promote the effective realization of the right to food for all, including in the ongoing negotiations in different fields;

19. *Recognizes* the need to strengthen national commitment as well as international assistance, upon the request of and in cooperation with the affected countries, towards the full realization and protection of the right to food, and in particular to develop national protection mechanisms for people forced to leave their homes and land because of hunger or humanitarian emergencies affecting the enjoyment of the right to food;

20. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

21. *Calls for* the early conclusion and a successful, development-oriented outcome of the Doha Round of trade negotiations of the World Trade Organization as a contribution to creating international conditions that permit the full realization of the right to food;

22. *Stresses* that all States should make all efforts to ensure that their international policies of a political and economic nature, including international trade agreements, do not have a negative impact on the right to food in other countries;

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[10] United Nations, *Treaty Series*, vol. 1954, No. 33480.

[11] Ibid., vol. 1760, No. 30619.

[12] Food and Agriculture Organization of the United Nations, *Report of the Conference of FAO, Thirty-first Session, Rome, 2-13 November 2001* (C 2001/REP), appendix D.

[13] Resolution 61/295, annex.

23. *Recalls* the importance of the New York Declaration on Action against Hunger and Poverty, and recommends the continuation of efforts aimed at identifying additional sources of financing for the fight against hunger and poverty;

24. *Recognizes* that the promises made at the World Food Summit in 1996 to halve the number of persons who are undernourished are not being fulfilled, while recognizing the efforts of Member States in this regard, and invites once again all international financial and development institutions, as well as the relevant United Nations agencies and funds, to give priority to and provide the necessary funding to realize the aim of halving by 2015 the proportion of people who suffer from hunger, as well as the right to food as set out in the Rome Declaration on World Food Security[5] and the United Nations Millennium Declaration;[3]

25. *Reaffirms* that integrating food and nutritional support, with the goal that all people at all times will have access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life, is part of a comprehensive effort to improve public health, including the response to the spread of HIV/AIDS, tuberculosis, malaria and other communicable diseases;

26. *Urges* States to give adequate priority in their development strategies and expenditures to the realization of the right to food;

27. *Stresses* the importance of international cooperation and development assistance as an effective contribution both to the expansion and improvement of agriculture and its environmental sustainability, food production, breeding projects on diversity of crops and livestock, and institutional innovations such as community seed banks, farmer field schools and seed fairs and to the provision of humanitarian food assistance in activities related to emergency situations, for the realization of the right to food and the achievement of sustainable food security, while recognizing that each country has the primary responsibility for ensuring the implementation of national programmes and strategies in this regard;

28. *Also stresses* that States parties to the World Trade Organization Agreement on Trade Related Aspects of Intellectual Property Rights[14] should consider implementing that agreement in a manner that is supportive of food security, while mindful of the obligation of Member States to promote and protect the right to food;

29. *Calls upon* Member States, the United Nations system and other relevant stakeholders to support national efforts aimed at responding rapidly to the food crises currently occurring across Africa, in particular in the Horn of Africa, and expresses its deep concern that funding shortfalls are forcing the World Food Programme to cut operations across different regions, including southern Africa;

30. *Invites* all relevant international organizations, including the World Bank and the International Monetary Fund, to continue to promote policies and projects that have a positive impact on the right to food, to ensure that partners respect the right to food in the implementation of common projects, to support strategies of Member States aimed at the fulfilment of the right to food and to avoid any actions that could have a negative impact on the realization of the right to food;

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[14] See *Legal Instruments Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, done at Marrakesh on 15 April 1994* (GATT secretariat publication, Sales No. GATT/1994-7).

31. *Takes note with appreciation* of the interim report of the Special Rapporteur;[15]

32. *Supports* the realization of the mandate of the Special Rapporteur, as extended by the Human Rights Council in its resolution 13/4 of 24 March 2010;[16]

33. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the human and financial resources necessary for the effective fulfilment of the mandate of the Special Rapporteur;

34. *Welcomes* the work already done by the Committee on Economic, Social and Cultural Rights in promoting the right to adequate food, in particular its General Comment No. 12 (1999) on the right to adequate food (article 11 of the International Covenant on Economic, Social and Cultural Rights),[17] in which the Committee affirmed, inter alia, that the right to adequate food is indivisibly linked to the inherent dignity of the human person and is indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights, and is also inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies, at both the national and the international levels, oriented to the eradication of poverty and the fulfilment of all human rights for all;

35. *Recalls* General Comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights on the right to water (articles 11 and 12 of the Covenant),[18] in which the Committee noted, inter alia, the importance of ensuring sustainable access to water resources for human consumption and agriculture in realization of the right to adequate food;

36. *Reaffirms* that the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,[7] represent a practical tool to promote the realization of the right to food for all, contribute to the achievement of food security and thus provide an additional instrument in the attainment of internationally agreed development goals, including those contained in the United Nations Millennium Declaration;

37. *Welcomes* the continued cooperation of the High Commissioner, the Committee and the Special Rapporteur, and encourages them to continue their cooperation in this regard;

38. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in his task, to supply all necessary information requested by him and to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries to enable him to fulfil his mandate more effectively;

39. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its sixty-sixth session on the implementation of the present

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[15] See A/65/281.

[16] See *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 53* (A/65/53), chap. II, sect. A.

[17] See *Official Records of the Economic and Social Council, 2000, Supplement No. 2* and corrigendum (E/2000/22 and Corr.1), annex V.

[18] Ibid., *2003, Supplement No. 2* (E/2003/22), annex IV.

resolution and to continue his work, including by examining the emerging issues with regard to the realization of the right to food within his existing mandate;

40. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies, civil society actors and non-governmental organizations, as well as the private sector, to cooperate fully with the Special Rapporteur in the fulfilment of his mandate, inter alia, through the submission of comments and suggestions on ways and means of realizing the right to food;

41. *Decides* to continue the consideration of the question at its sixty-seventh session under the item entitled "Promotion and protection of human rights".

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Agenda item 69 (b)

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Belarus, Bolivia (Plurinational State of), Brazil, Cuba, El Salvador, Grenada, Guatemala, Nicaragua, Saint Vincent and the Grenadines and Venezuela (Bolivarian Republic of): draft resolution

The right to food

The General Assembly,

Reaffirming all previous resolutions and decisions on the right to food adopted within the framework of the United Nations,

Recalling the Universal Declaration of Human Rights,[1] which provides that everyone has the right to a standard of living adequate for her or his health and well-being, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition[2] and the United Nations Millennium Declaration,[3] in particular Millennium Development Goal 1 on eradicating extreme poverty and hunger by 2015,

Recalling also the provisions of the International Covenant on Economic, Social and Cultural Rights,[4] in which the fundamental right of every person to be free from hunger is recognized,

Bearing in mind the Rome Declaration on World Food Security and the World Food Summit Plan of Action[5] and the Declaration of the World Food Summit: five years later, adopted in Rome on 13 June 2002,[6]

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* Reissued for technical reasons on 14 November 2011.

1 Resolution 217 A (III).

2 *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

3 See resolution 55/2.

4 See resolution 2200 A (XXI), annex.

5 Food and Agriculture Organization of the United Nations, *Report of the World Food Summit, 13-17 November 1996* (WFS 96/REP), part one, appendix.

6 Food and Agriculture Organization of the United Nations, *Report of the World Food Summit: five years later, 10-13 June 2002*, part one, appendix; see also A/57/499, annex.

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Reaffirming the concrete recommendations contained in the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,[7]

Reaffirming also the Five Rome Principles for Sustainable Global Food Security contained in the Declaration of the World Summit on Food Security, adopted in Rome on 16 November 2009,[8]

Reaffirming further that all human rights are universal, indivisible, interdependent and interrelated, and that they must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming that a peaceful, stable and enabling political, social and economic environment, at both the national and the international levels, is the essential foundation that will enable States to give adequate priority to food security and poverty eradication,

Reiterating, as in the Rome Declaration on World Food Security and the Declaration of the World Food Summit: five years later, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity, as well as the necessity of refraining from unilateral measures that are not in accordance with international law and the Charter of the United Nations and that endanger food security,

Convinced that each State must adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained in the Rome Declaration on World Food Security and the World Food Summit Plan of Action and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food security in a world of increasingly interlinked institutions, societies and economies where coordinated efforts and shared responsibilities are essential,

Recognizing that the complex character of the global food crisis, in which the right to adequate food is threatened to be violated on a massive scale, is a combination of several major factors, such as the global financial and economic crisis, environmental degradation, desertification and the impacts of global climate change, as well as natural disasters and the lack in many countries of the appropriate technology, investment and capacity-building necessary to confront its impact, particularly in developing countries, least developed countries and small island developing States,

Resolved to act to ensure that the human rights perspective is taken into account at the national, regional and international levels in measures to address the global food crisis,

Expressing its deep concern at the number and scale of natural disasters, diseases and pests and their increasing impact in recent years, which have resulted in massive loss of life and livelihood and threatened agricultural production and food security, in particular in developing countries,

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[7] Food and Agriculture Organization of the United Nations, *Report of the Council of FAO, One Hundred and Twenty-seventh Session, Rome, 22-27 November 2004* (CL 127/REP), appendix D; see also E/CN.4/2005/131, annex.

[8] See Food and Agriculture Organization of the United Nations, document WSFS 2009/2.

Stressing the importance of reversing the continuing decline of official development assistance devoted to agriculture, both in real terms and as a share of total official development assistance,

Recognizing the importance of the protection and preservation of agrobiodiversity in guaranteeing food security and the right to food for all,

Recognizing also the role of the Food and Agriculture Organization of the United Nations as the key United Nations agency for rural and agricultural development and its work in supporting the efforts of Member States to achieve the full realization of the right to food, including through its provision of technical assistance to developing countries in support of the implementation of national priority frameworks,

Taking note of the final Declaration adopted at the International Conference on Agrarian Reform and Rural Development of the Food and Agriculture Organization of the United Nations in Porto Alegre, Brazil, on 10 March 2006,[9]

Acknowledging the High-level Task Force on the Global Food Security Crisis established by the Secretary-General, and supporting the Secretary-General in his continuing efforts in this regard, including continued engagement with Member States and the Special Rapporteur of the Human Rights Council on the right to food,

1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and therefore requires the adoption of urgent measures at the national, regional and international levels for its elimination;

2. *Also reaffirms* the right of everyone to have access to safe, sufficient and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain his or her physical and mental capacities;

3. *Considers it intolerable* that, as estimated by the United Nations Children's Fund, more than one third of the children who die every year before the age of 5 do so from hunger-related illness, and that, as estimated by the Food and Agriculture Organization of the United Nations, the number of people who are undernourished is about 925 million worldwide, and that an additional 1 billion people are suffering from serious malnutrition, including as a result of the global food crisis, while, according to the latter organization, the planet could produce enough food to feed everyone around the world;

4. *Considers it alarming* that in 2010 and 2011 rising food prices have pushed nearly 70 million people into extreme poverty;

5. *Expresses its concern* at the fact that the effects of the world food crisis continue to have serious consequences on the most vulnerable people, particularly in developing countries, which have been further aggravated by the world economic and financial crisis, and at the particular effects of this crisis on many net food-importing countries, especially on least developed countries in Africa, Asia, Latin America and the Caribbean, in particular currently in the Horn of Africa;

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[9] Food and Agriculture Organization of the United Nations, *Report of the International Conference on Agrarian Reform and Rural Development, Porto Alegre, Brazil, 7-10 March 2006* (C 2006/REP), appendix G.

6. *Expresses its concern* that women and girls are disproportionately affected by hunger, food insecurity and poverty, in part as a result of gender inequality and discrimination, that in many countries, girls are twice as likely as boys to die from malnutrition and preventable childhood diseases and that it is estimated that almost twice as many women as men suffer from malnutrition;

7. *Encourages* all States to take action to address gender inequality and discrimination against women, in particular where it contributes to the malnutrition of women and girls, including measures to ensure the full and equal realization of the right to food and ensuring that women have equal access to resources, including income, land and water and their ownership, as well as full and equal access to education, science and technology, to enable them to feed themselves and their families;

8. *Encourages* the Special Rapporteur of the Human Rights Council on the right to food to continue mainstreaming a gender perspective in the fulfilment of his mandate, and encourages the Food and Agriculture Organization of the United Nations and all other United Nations bodies and mechanisms addressing the right to food and food insecurity to integrate a gender perspective into their relevant policies, programmes and activities;

9. *Reaffirms* the need to ensure that programmes delivering safe and nutritious food are inclusive of and accessible to persons with disabilities;

10. *Encourages* all States to take steps with a view to achieving progressively the full realization of the right to food, including steps to promote the conditions for everyone to be free from hunger and, as soon as possible, to enjoy fully the right to food, and to create and adopt national plans to combat hunger;

11. *Recognizes* the advances reached through South-South cooperation in developing countries and regions in connection with food security and the development of agricultural production for the full realization of the right to food;

12. *Stresses* that improving access to productive resources and public investment in rural development are essential for eradicating hunger and poverty, in particular in developing countries, including through the promotion of investments in appropriate small-scale irrigation and water management technologies in order to reduce vulnerability to droughts;

13. *Recognizes* that 80 per cent of hungry people live in rural areas and 50 per cent are small-scale farm-holders, and that these people are especially vulnerable to food insecurity, given the increasing cost of inputs and the fall in farm incomes; that access to land, water, seeds and other natural resources is an increasing challenge for poor producers; that sustainable and gender-sensitive agricultural policies are important tools for promoting land and agrarian reform, rural credit and insurance, technical assistance and other associated measures to achieve food security and rural development; and that support by States for small farmers, fishing communities and local enterprises, including through the facilitation of access of their products to national and international markets, is a key element for food security and the provision of the right to food;

14. *Stresses* the importance of fighting hunger in rural areas, including through national efforts supported by international partnerships to stop desertification and land degradation and through investments and public policies that are

specifically appropriate to the risk of drylands, and in this regard calls for the full implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;[10]

15. *Urges* States that have not yet done so to favourably consider becoming parties to the Convention on Biological Diversity[11] and to consider becoming parties to the International Treaty on Plant Genetic Resources for Food and Agriculture[12] as a matter of priority;

16. *Recalls* the United Nations Declaration on the Rights of Indigenous Peoples[13] and acknowledges that many indigenous organizations and representatives of indigenous peoples have expressed in different forums their deep concerns over the obstacles and challenges they face for the full enjoyment of the right to food, and calls upon States to take special actions to combat the root causes of the disproportionately high level of hunger and malnutrition among indigenous peoples and the continuous discrimination against them;

17. *Notes* the need to further examine various concepts such as, inter alia, "food sovereignty" and their relation with food security and the right to food, bearing in mind the need to avoid any negative impact on the enjoyment of the right to food for all people at all times;

18. *Requests* all States and private actors, as well as international organizations within their respective mandates, to take fully into account the need to promote the effective realization of the right to food for all, including in the ongoing negotiations in different fields;

19. *Recognizes* the need to strengthen national commitment as well as international assistance, upon the request of and in cooperation with the affected countries, towards the full realization and protection of the right to food, and in particular to develop national protection mechanisms for people forced to leave their homes and land because of hunger or humanitarian emergencies affecting the enjoyment of the right to food;

20. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

21. *Calls for* the early conclusion and a successful, development-oriented outcome of the Doha Round of trade negotiations of the World Trade Organization as a contribution to creating international conditions that permit the full realization of the right to food;

22. *Stresses* that all States should make all efforts to ensure that their international policies of a political and economic nature, including international trade agreements, do not have a negative impact on the right to food in other countries;

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[10] United Nations, *Treaty Series*, vol. 1954, No. 33480.

[11] Ibid., vol. 1760, No. 30619.

[12] Food and Agriculture Organization of the United Nations, *Report of the Conference of FAO, Thirty-first Session, Rome, 2-13 November 2001* (C 2001/REP), appendix D.

[13] Resolution 61/295, annex.

23. *Recalls* the importance of the New York Declaration on Action against Hunger and Poverty, and recommends the continuation of efforts aimed at identifying additional sources of financing for the fight against hunger and poverty;

24. *Recognizes* that the promises made at the World Food Summit in 1996 to halve the number of persons who are undernourished are not being fulfilled, while recognizing the efforts of Member States in this regard, and invites once again all international financial and development institutions, as well as the relevant United Nations agencies and funds, to give priority to and provide the necessary funding to realize the aim of halving by 2015 the proportion of people who suffer from hunger, as well as the right to food as set out in the Rome Declaration on World Food Security[5] and the United Nations Millennium Declaration;[3]

25. *Reaffirms* that integrating food and nutritional support, with the goal that all people at all times will have access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life, is part of a comprehensive effort to improve public health, including the response to the spread of HIV/AIDS, tuberculosis, malaria and other communicable diseases;

26. *Urges* States to give adequate priority in their development strategies and expenditures to the realization of the right to food;

27. *Stresses* the importance of international cooperation and development assistance as an effective contribution both to the expansion and improvement of agriculture and its environmental sustainability, food production, breeding projects on diversity of crops and livestock, and institutional innovations such as community seed banks, farmer field schools and seed fairs and to the provision of humanitarian food assistance in activities related to emergency situations, for the realization of the right to food and the achievement of sustainable food security, while recognizing that each country has the primary responsibility for ensuring the implementation of national programmes and strategies in this regard;

28. *Also stresses* that States parties to the World Trade Organization Agreement on Trade Related Aspects of Intellectual Property Rights[14] should consider implementing that agreement in a manner that is supportive of food security, while mindful of the obligation of Member States to promote and protect the right to food;

29. *Calls upon* Member States, the United Nations system and other relevant stakeholders to support national efforts aimed at responding rapidly to the food crises currently occurring across Africa, in particular in the Horn of Africa, and expresses its deep concern that funding shortfalls are forcing the World Food Programme to cut operations across different regions, including southern Africa;

30. *Invites* all relevant international organizations, including the World Bank and the International Monetary Fund to continue to promote policies and projects that have a positive impact on the right to food, to ensure that partners respect the right to food in the implementation of common projects, to support strategies of Member States aimed at the fulfilment of the right to food and to avoid any actions that could have a negative impact on the realization of the right to food;

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[14] See *Legal Instruments Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, done at Marrakesh on 15 April 1994* (GATT secretariat publication, Sales No. GATT/1994-7).

31. *Takes note with appreciation* of the interim report of the Special Rapporteur;[15]

32. *Supports* the realization of the mandate of the Special Rapporteur, as extended by the Human Rights Council in its resolution 13/4 of 24 March 2010;[16]

33. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the human and financial resources necessary for the effective fulfilment of the mandate of the Special Rapporteur;

34. *Welcomes* the work already done by the Committee on Economic, Social and Cultural Rights in promoting the right to adequate food, in particular its General Comment No. 12 (1999) on the right to adequate food (article 11 of the International Covenant on Economic, Social and Cultural Rights),[17] in which the Committee affirmed, inter alia, that the right to adequate food is indivisibly linked to the inherent dignity of the human person and is indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights, and is also inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies, at both the national and the international levels, oriented to the eradication of poverty and the fulfilment of all human rights for all;

35. *Recalls* General Comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights on the right to water (articles 11 and 12 of the Covenant),[18] in which the Committee noted, inter alia, the importance of ensuring sustainable access to water resources for human consumption and agriculture in realization of the right to adequate food;

36. *Reaffirms* that the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,[7] represent a practical tool to promote the realization of the right to food for all, contribute to the achievement of food security and thus provide an additional instrument in the attainment of internationally agreed development goals, including those contained in the United Nations Millennium Declaration;

37. *Welcomes* the continued cooperation of the High Commissioner, the Committee and the Special Rapporteur, and encourages them to continue their cooperation in this regard;

38. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in his task, to supply all necessary information requested by him and to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries to enable him to fulfil his mandate more effectively;

39. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its sixty-seventh session on the implementation of the present

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[15] See A/65/281.

[16] See *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 53* (A/65/53), chap. II, sect. A.

[17] See *Official Records of the Economic and Social Council, 2000, Supplement No. 2* and corrigendum (E/2000/22 and Corr.1), annex V.

[18] Ibid., *2003, Supplement No. 2* (E/2003/22), annex IV.

resolution and to continue his work, including by examining the emerging issues with regard to the realization of the right to food within his existing mandate;

40. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies, civil society actors and non-governmental organizations, as well as the private sector, to cooperate fully with the Special Rapporteur in the fulfilment of his mandate, inter alia, through the submission of comments and suggestions on ways and means of realizing the right to food;

41. *Decides* to continue the consideration of the question at its sixty-seventh session under the item entitled "Promotion and protection of human rights".

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Agenda item 69 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Belarus, Bolivia (Plurinational State of), Cuba, El Salvador, Nicaragua and Venezuela (Bolivarian Republic of): draft resolution

Promotion of a democratic and equitable international order

The General Assembly,

Recalling its previous resolutions on the promotion of a democratic and equitable international order, including resolution 65/223 of 21 December 2010, and taking note of Human Rights Council resolution 18/6 of 29 September 2011,

Reaffirming the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights and international law,

Affirming that the enhancement of international cooperation for the promotion and protection of all human rights should continue to be carried out in full conformity with the purposes and principles of the Charter and international law as set forth in Articles 1 and 2 of the Charter and, inter alia, with full respect for sovereignty, territorial integrity, political independence, the non-use of force or the threat of force in international relations and non-intervention in matters that are essentially within the domestic jurisdiction of any State,

Recalling the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

Reaffirming that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights[1] can be fully realized,

[1] Resolution 217 A (III).

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Reaffirming also the determination expressed in the Preamble to the Charter to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practise tolerance and good-neighbourliness, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Stressing that the responsibility for managing worldwide economic and social issues, as well as threats to international peace and security, must be shared among the nations of the world and should be exercised multilaterally, and that in this regard the central role must be played by the United Nations, as the most universal and representative organization in the world,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Reaffirming that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Recognizing that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Emphasizing that democracy is not only a political concept, but that it also has economic and social dimensions,

Recognizing that democracy, respect for all human rights, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of the necessary foundations for the realization of social and people-centred sustainable development,

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, inequitable distribution of wealth, marginalization and social exclusion,

Reaffirming that dialogue among religions, cultures and civilizations could contribute greatly to the enhancement of international cooperation at all levels,

Underlining the fact that it is imperative for the international community to ensure that globalization becomes a positive force for all the world's people, and that only through broad and sustained efforts, based on our common humanity in all its diversity, can globalization be made fully inclusive and equitable,

Deeply concerned that the current global economic, financial, energy and food crises, resulting from a combination of several major factors, including macroeconomic and other factors, such as environmental degradation, desertification and global climate change, natural disasters and the lack of financial resources and the technology necessary to confront their negative impact in developing countries, particularly in the least developed countries and small island developing States, represent a global scenario that is threatening the adequate enjoyment of all human rights and widening the gap between developed and developing countries,

Stressing that efforts to make globalization fully inclusive and equitable must include policies and measures, at the global level, that correspond to the needs of developing countries and countries with economies in transition and are formulated and implemented with their effective participation,

Stressing also the need for adequate financing of and technology transfer to developing countries, in particular the landlocked developing countries and small island developing States, including to support their efforts to adapt to climate change,

Having listened to the peoples of the world, and recognizing their aspirations to justice, to equality of opportunity for all, to the enjoyment of their human rights, including the right to development, to live in peace and freedom and to equal participation without discrimination in economic, social, cultural, civil and political life,

Recalling Human Rights Council resolutions 5/1 on institution-building of the Council and 5/2 on the Code of Conduct for Special Procedures Mandate-Holders of the Council,[2] both of 18 June 2007, and stressing that all mandate-holders shall discharge their duties in accordance with those resolutions and the annexes thereto,

Resolved to take all measures within its power to secure a democratic and equitable international order,

1. *Affirms* that everyone is entitled to a democratic and equitable international order;

2. *Also affirms* that a democratic and equitable international order fosters the full realization of all human rights for all;

3. *Calls upon* all Member States to fulfil their commitment expressed in Durban, South Africa, during the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to maximize the benefits of globalization through, inter alia, the strengthening and enhancement of international cooperation to increase equality of opportunities for trade, economic growth and sustainable development, global communications through the use of new technologies

[2] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. IV, sect. A.

and increased intercultural exchange through the preservation and promotion of cultural diversity,[3] and reiterates that only through broad and sustained efforts to create a shared future based upon our common humanity and all its diversity can globalization be made fully inclusive and equitable;

4. *Affirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

(a) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development;

(b) The right of peoples and nations to permanent sovereignty over their natural wealth and resources;

(c) The right of every human person and all peoples to development;

(d) The right of all peoples to peace;

(e) The right to an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation among all States;

(f) International solidarity, as a right of peoples and individuals;

(g) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principle of full and equal participation in their respective decision-making mechanisms;

(h) The right to equitable participation of all, without any discrimination, in domestic and global decision-making;

(i) The principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system;

(j) The promotion of a free, just, effective and balanced international information and communications order, based on international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow of information, in particular correcting the inequalities in the flow of information to and from developing countries;

(k) Respect for cultural diversity and the cultural rights of all, since this enhances cultural pluralism, contributes to a wider exchange of knowledge and understanding of cultural backgrounds, advances the application and enjoyment of universally accepted human rights across the world and fosters stable, friendly relations among peoples and nations worldwide;

(l) The right of every person and all peoples to a healthy environment and to enhanced international cooperation that responds effectively to the needs for assistance of national efforts to adapt to climate change, particularly in developing countries, and that promotes the fulfilment of international agreements in the field of mitigation;

[3] See A/CONF.189/12 and Corr.1, chap. I.

(m) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in economic, commercial and financial international relations;

(n) The enjoyment by everyone of ownership of the common heritage of mankind in connection to the public right of access to culture;

(o) The shared responsibility of the nations of the world for managing worldwide economic and social development, as well as threats to international peace and security, that should be exercised multilaterally;

5. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, as well as respect for national and regional particularities and various historical, cultural and religious backgrounds, in the enhancement of international cooperation in the field of human rights;

6. *Also stresses* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and reaffirms that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

7. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

8. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries;

9. *Also reaffirms* the need to continue working urgently for the establishment of an international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, which shall correct inequalities and redress existing injustices, make it possible to eliminate the widening gap between the developed and the developing countries and ensure steadily accelerating economic and social development and peace and justice for present and future generations;

10. *Further reaffirms* that the international community should devise ways and means to remove the current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

11. *Urges* States to continue their efforts, through enhanced international cooperation, towards the promotion of a democratic and equitable international order;

12. *Welcomes* the decision of the Human Rights Council in its resolution 18/6 to establish a new special procedures mandate of Independent Expert on the

promotion of a democratic and equitable order and the mandate set out in the resolution;

13. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the human and financial resources necessary for the effective fulfilment of the mandate of the independent expert;

14. *Calls upon* all Governments to cooperate with and assist the Independent Expert in his/her task, to supply all necessary information requested by him/her and to consider responding favourably to the requests of the Independent Expert to visit their countries to enable him/her to fulfil his/her mandate more effectively;

15. *Requests* the Human Rights Council, the human rights treaty bodies, the Office of the United Nations High Commissioner for Human Rights, the special mechanisms extended by the Council and the Human Rights Council Advisory Committee to pay due attention, within their respective mandates, to the present resolution and to make contributions towards its implementation;

16. *Calls upon* the Office of the High Commissioner to build upon the issue of the promotion of a democratic and equitable international order;

17. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental organizations, in particular the Bretton Woods institutions, and non-governmental organizations, and to disseminate it on the widest possible basis;

18. *Requests* the Independent Expert to submit an interim report to the General Assembly at its sixty-seventh session on the implementation of the present resolution and to continue his/her work;

19. *Decides* to continue consideration of the matter at its sixty-seventh session under the item entitled "Promotion and protection of human rights".

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Agenda item 69 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Albania, Argentina, Austria, Belgium, Benin, Bolivia (Plurinational State of), Brazil, Canada, Chile, Cyprus, Denmark, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Hungary, Ireland, Italy, Japan, Jordan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Mexico, Montenegro, Morocco, Niger, Norway, Paraguay, Poland, Portugal, Romania, Saint Vincent and the Grenadines, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Togo, Uganda and Uruguay: draft resolution

International Convention for the Protection of All Persons from Enforced Disappearance

The General Assembly,

Reaffirming its resolution 61/177 of 20 December 2006, by which it adopted and opened for signature, ratification and accession the International Convention for the Protection of All Persons from Enforced Disappearance,

Recalling its resolution 47/133 of 18 December 1992, by which it adopted the Declaration on the Protection of All Persons from Enforced Disappearance as a body of principles for all States,

Recalling also its resolution 65/209 of 21 December 2010, as well as relevant resolutions adopted by the Human Rights Council, including resolution 16/16 of 24 March 2011,[1] in which the Council took note of the report of the Working Group on Enforced or Involuntary Disappearances on best practices on enforced disappearances in domestic criminal legislation,[2] and encouraged States to give due consideration to the good practices identified in the report,

[1] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53* (A/66/53), chap II, sect. A.

[2] A/HRC/16/48 and Add.1-3 and Add.3/Corr.1.

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Recalling further that no exceptional circumstance whatsoever may be invoked as a justification for enforced disappearance,

Deeply concerned, in particular, by the increase in enforced or involuntary disappearances in various regions of the world, including arrest, detention and abduction, when these are part of or amount to enforced disappearances, and by the growing number of reports concerning harassment, ill-treatment and intimidation of witnesses of disappearances or relatives of persons who have disappeared,

Recalling that the Convention sets out the right of victims to know the truth regarding the circumstances of the enforced disappearance, the progress and results of the investigation and the fate of the disappeared person, and sets forth State party obligations to take appropriate measures in this regard,

Acknowledging that acts of enforced disappearance are recognized in the Convention as crimes against humanity, in certain circumstances,

Acknowledging also the valuable work of the International Committee of the Red Cross in promoting compliance with international humanitarian law in this field,

1. *Welcomes* the entry into force of the International Convention for the Protection of All Persons from Enforced Disappearance[3] on 23 December 2010, and recognizes that its implementation will be a significant contribution to ending impunity and to promoting and protecting all human rights for all;

2. *Also welcomes* the fact that ninety States have signed the Convention and thirty have ratified or acceded to it, and calls upon States that have not yet done so to consider signing, ratifying or acceding to the Convention as a matter of priority, as well as to consider the option provided for in articles 31 and 32 of the Convention regarding the Committee on Enforced Disappearances;

3. *Further welcomes* the holding of the first meeting of the States parties to the Convention on 31 May 2011 and the election of the members of the Committee on Enforced Disappearances on that occasion, and welcomes the commencement of the work of the Committee;

4. *Welcomes* the report of the Secretary-General;[4]

5. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue their intensive efforts to assist States in becoming parties to the Convention, with a view to achieving universal adherence;

6. *Requests* United Nations agencies and organizations, and invites intergovernmental and non-governmental organizations and the Working Group on Enforced or Involuntary Disappearances to continue making efforts to disseminate information on the Convention, to promote understanding of it and to assist States parties in implementing their obligations under this instrument;

7 *Invites* the Chair of the Committee on Enforced Disappearances and the Chair of the Working Group on Enforced or Involuntary Disappearances to address

[3] Resolution 61/177, annex.

[4] A/66/284.

and engage in an interactive dialogue with the General Assembly at its sixty-seventh session under the agenda item on the promotion and protection of human rights;

8. *Requests* the Secretary-General to submit to the General Assembly, at its sixty-seventh session, a report on the status of the Convention and the implementation of the present resolution.

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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Afghanistan, Algeria, Antigua and Barbuda, Argentina, Bahrain, Bangladesh, Belarus, Belize, Benin, Bolivia (Plurinational State of), Botswana, Burkina Faso, Burundi, Cameroon, Central African Republic, China, Comoros, Congo, Côte d'Ivoire, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Ecuador, Egypt, Eritrea, Ethiopia, Gabon, Ghana, Guinea, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Morocco, Mozambique, Myanmar, Namibia, Nicaragua, Niger, Nigeria, Oman, Pakistan, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Togo, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Yemen, Zambia and Zimbabwe: draft resolution

Globalization and its impact on the full enjoyment of all human rights

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and expressing, in particular, the need to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction,

Recalling the Universal Declaration of Human Rights,[1] as well as the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993[2] and the Durban Declaration and Programme of Action

[1] Resolution 217 A (III).
[2] A/CONF.157/24 (Part I), chap. III.

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adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,[3]

Recalling also the International Covenant on Civil and Political Rights[4] and the International Covenant on Economic, Social and Cultural Rights,[4]

Recalling further the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986, and emphasizing that 2011 marks the twenty-fifth anniversary of the adoption of the Declaration,

Recalling the United Nations Millennium Declaration[5] and the outcome documents of the twenty-third[6] and twenty-fourth[7] special sessions of the General Assembly, held in New York from 5 to 10 June 2000 and in Geneva from 26 June to 1 July 2000, respectively,

Recalling also its resolutions 64/174 of 18 December 2009 and 65/216 of 21 December 2010,

Recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Realizing that globalization affects all countries differently and makes them more exposed to external developments, positive as well as negative, inter alia, in the field of human rights,

Realizing also that globalization is not merely an economic process, but that it also has social, political, environmental, cultural and legal dimensions, which have an impact on the full enjoyment of all human rights and fundamental freedoms,

Emphasizing the need to fully implement the global partnership for development and enhance the momentum generated by the 2005 World Summit in order to operationalize and implement the commitments made in the outcomes of the major United Nations conferences and summits, including the 2005 World Summit, in the economic, social and related fields, and reaffirming in particular the commitment contained in paragraphs 19 and 47 of the 2005 World Summit Outcome[8] to promote fair globalization and the development of the productive sectors in developing countries to enable them to participate more effectively in and benefit from the process of globalization,

Realizing the need to undertake a thorough, independent and comprehensive assessment of the social, environmental and cultural impact of globalization on societies,

Recognizing in each culture a dignity and value that deserve recognition, respect and preservation, convinced that, in their rich variety and diversity and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind, and aware of the risk that

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[3] See A/CONF.189/12 and Corr.1, chap. I.

[4] See resolution 2200 A (XXI), annex.

[5] See resolution 55/2.

[6] Resolution S-23/2, annex, and resolution S-23/3, annex.

[7] Resolution S-24/2, annex.

[8] See resolution 60/1.

globalization poses more of a threat to cultural diversity if the developing world remains poor and marginalized,

Recognizing also that multilateral mechanisms have a unique role to play in meeting the challenges and opportunities presented by globalization,

Realizing the need to consider the opportunities and challenges linked to globalization with a view to addressing such challenges and building on possible opportunities in order to achieve the full enjoyment of all human rights,

Emphasizing the global character of the migratory phenomenon, the importance of international, regional and bilateral cooperation and the need to protect the human rights of migrants, particularly at a time in which migration flows have increased in the globalized economy,

Expressing grave concern at the negative impact of international financial turmoil on social and economic development and on the full enjoyment of all human rights, particularly in the light of the continuing global financial and economic crisis, which has an adverse impact on the realization of the internationally agreed development goals, particularly the Millennium Development Goals, and recognizing that developing countries are in a more vulnerable situation when facing such impact and that regional economic cooperation and development strategies and programmes can play a role in mitigating such impact,

Expressing deep concern at the negative impact of the continuing global food and energy crises and climate challenges on social and economic development and on the full enjoyment of all human rights for all,

Recognizing that globalization should be guided by the fundamental principles that underpin the corpus of human rights, such as equity, participation, accountability, non-discrimination at both the national and the international levels, respect for diversity, tolerance and international cooperation and solidarity,

Emphasizing that the existence of widespread extreme poverty inhibits the full realization and effective enjoyment of human rights and that its immediate alleviation and eventual elimination must remain a high priority for the international community,

Acknowledging that there is greater acceptance that the increasing debt burden faced by the most indebted developing countries is unsustainable and constitutes one of the principal obstacles to achieving sustainable development and poverty eradication and that, for many developing countries, excessive debt servicing has severely constrained their capacity to promote social development and to provide basic services to realize economic, social and cultural rights,

Strongly reiterating the determination to ensure the timely and full realization of the development goals and objectives agreed at the major United Nations conferences and summits, including those agreed at the Millennium Summit, that are described as the Millennium Development Goals, which have helped to galvanize efforts towards poverty eradication,

Gravely concerned at the inadequacy of measures to narrow the widening gap between the developed and the developing countries, and within countries, which has contributed to, inter alia, deepening poverty and has adversely affected the full enjoyment of all human rights, in particular in developing countries,

Emphasizing that transnational corporations and other business enterprises have a responsibility to respect all human rights,

Emphasizing also that human beings strive for a world that is respectful of human rights and cultural diversity and that, in this regard, they work to ensure that all activities, including those affected by globalization, are consistent with those aims,

1. *Recognizes* that, while globalization, by its impact on, inter alia, the role of the State, may affect human rights, the promotion and protection of all human rights is first and foremost the responsibility of the State;

2. *Emphasizes* that development should be at the centre of the international economic agenda and that coherence between national development strategies and international obligations and commitments is imperative for an enabling environment for development and an inclusive and equitable globalization;

3. *Reaffirms* that narrowing the gap between rich and poor, both within and between countries, is an explicit goal at the national and international levels, as part of the effort to create an enabling environment for the full enjoyment of all human rights;

4. *Also reaffirms* the commitment to create an environment at both the national and the global levels that is conducive to development and to the eradication of poverty by, inter alia, promoting good governance within each country and at the international level, eliminate protectionism, enhancing transparency in the financial, monetary and trading systems and committing to an open, equitable, rule-based, predictable and non-discriminatory multilateral trading and financial system;

5. *Recognizes* the impacts that the global economic and financial crises are still having on the ability of countries, particularly developing countries, to mobilize resources for development and to address the impact of these crises, and, in this context, calls upon all States and the international community to alleviate, in an inclusive and development oriented manner, any negative impacts of these crises on the realization and the effective enjoyment of all human rights;

6. *Also recognizes* that, while globalization offers great opportunities, the fact that its benefits are very unevenly shared and its costs unevenly distributed represents an aspect of the process that affects the full enjoyment of all human rights, in particular in developing countries;

7. *Welcomes* the report of the United Nations High Commissioner for Human Rights on globalization and its impact on the full enjoyment of human rights,[9] which focuses on the liberalization of agricultural trade and its impact on the realization of the right to development, including the right to food, and takes note of the conclusions and recommendations contained therein;

8. *Reaffirms* the international commitment to eliminating hunger and to securing food for all, today and tomorrow, and reiterates that the relevant United Nations organizations should be assured the resources needed to expand and enhance their food assistance, and support social safety net programmes designed to

[9] E/CN.4/2002/54.

address hunger and malnutrition, when appropriate, through the use of local or regional purchase;

9. *Calls upon* Member States, relevant agencies of the United Nations system, intergovernmental organizations and civil society to promote inclusive, equitable and environmentally sustainable economic growth for managing globalization so that poverty is systematically reduced and the international development targets are achieved;

10. *Recognizes* that the responsible operations of transnational corporations and other business enterprises can contribute to the promotion, protection and fulfilment of all human rights and fundamental freedoms, in particular economic, social and cultural rights;

11. *Also recognizes* that only through broad and sustained efforts, including policies and measures at the global level to create a shared future based upon our common humanity in all its diversity, can globalization be made fully inclusive and equitable and have a human face, thus contributing to the full enjoyment of all human rights;

12. *Underlines* the urgent need to establish an equitable, transparent and democratic international system to strengthen and broaden the participation of developing countries in international economic decision-making and norm-setting;

13. *Affirms* that globalization is a complex process of structural transformation, with numerous interdisciplinary aspects, which has an impact on the enjoyment of civil, political, economic, social and cultural rights, including the right to development;

14. *Also affirms* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that promotes and protects human rights while ensuring respect for the cultural diversity of all;

15. *Underlines*, therefore, the need to continue to analyse the consequences of globalization for the full enjoyment of all human rights;

16. *Takes note* of the report of the Secretary-General,[10] and requests him to continue to seek further the views of Member States and relevant agencies of the United Nations system and to submit to the General Assembly at its sixty-seventh session a substantive report on the subject based on these views, including recommendations on ways to address the impact of globalization on the full enjoyment of all human rights.

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[10] A/66/293.

United Nations A/C.3/66/L.42

General Assembly

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Sixty-sixth session
Third Committee
Agenda item 69 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Benin, Burundi, Cameroon, Central African Republic, Chad, Congo, Côte d'Ivoire, Egypt, Equatorial Guinea, Gabon and Kenya: draft resolution

Subregional Centre for Human Rights and Democracy in Central Africa

The General Assembly,

Recalling its resolution 55/105 of 4 December 2000 concerning regional arrangements for the promotion and protection of human rights,

Recalling also its resolutions 55/34 B of 20 November 2000 and 55/233 of 23 December 2000, section III of its resolution 55/234 of 23 December 2000, its resolution 56/253 of 24 December 2001 and its resolutions 58/176 of 22 December 2003, 59/183 of 20 December 2004, 60/151 of 16 December 2005, 61/158 of 19 December 2006, 62/221 of 22 December 2007, 63/177 of 18 December 2008 and 64/165 of 18 December 2009 on the Subregional Centre for Human Rights and Democracy in Central Africa,

Recalling further that the World Conference on Human Rights recommended that more resources be made available for the strengthening of regional arrangements for the promotion and protection of human rights under the programme of technical cooperation in the field of human rights of the Office of the United Nations High Commissioner for Human Rights,[1]

Recalling the report of the High Commissioner,[2]

Taking note of the holding of the twenty-ninth, thirtieth, thirty-first and thirty-second ministerial meetings of the United Nations Standing Advisory Committee on Security Questions in Central Africa, in N'Djamena from 9 to 13 November 2009,

[1] See A/CONF.157/24 (Part I), chap. III.
[2] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 36*, addendum (A/56/36/Add.1).

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in Kinshasa from 26 to 30 April 2010, in Brazzaville from 15 to 19 November 2010 and in Sao Tome from 12 to 16 March 2011,

Taking note also of the report of the Secretary-General,[3]

Welcoming the 2005 World Summit Outcome,[4] in particular the decision confirmed therein to double the regular budget of the Office of the High Commissioner over the subsequent five years,

1. *Welcomes* the activities of the Subregional Centre for Human Rights and Democracy in Central Africa at Yaoundé;

2. *Notes with satisfaction* the support provided for the establishment of the Centre by the host country;

3. *Also notes with satisfaction* the ongoing activities of the Centre in cooperation with the States members of the Economic Community of Central African States and Rwanda;

4. *Takes note* of the strategic thematic priorities of the Centre for the period 2012-2013, such as elimination of discrimination, focusing on the rights of indigenous populations, persons with disabilities, migrant workers and their families, women's human rights and gender issues; strengthening the rule of law and combating impunity; promotion of democracy and good governance; promotion and protection of economic, social and cultural rights; and strengthening national human rights institutions and cooperation with international and regional human rights mechanisms;

5. *Notes with satisfaction* the celebration of the tenth anniversary of the Centre;

6. *Encourages* the Centre to strengthen its cooperation and invest in relations with subregional organizations and bodies, including the African Union, the Economic Community of Central African States, the United Nations Regional Office for Central Africa and the United Nations country teams of the subregion;

7. *Encourages* the Regional Representative and Director of the Centre to continue to hold regular briefings for the ambassadors of Central African States based in Geneva and Yaoundé, and organized in countries of the subregion during visits of the Regional Representative, with the aim of exchanging information on the activities of the Centre and charting the direction of the Centre;

8. *Notes* the efforts of the Secretary-General and the United Nations High Commissioner for Human Rights to ensure the full implementation of the relevant resolutions of the General Assembly[5] in order to provide sufficient funds and human resources for the missions of the Centre;

9. *Requests* the Secretary-General and the High Commissioner to continue to provide additional funds and human resources within the existing resources of the Office of the High Commissioner to enable the Centre to respond positively and effectively to the growing needs in the promotion and protection of human rights and in developing a culture of democracy and the rule of law in the Central African subregion;

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[3] A/66/325.

[4] See resolution 60/1.

[5] See resolutions 61/158, 62/221 and 63/177.

10. *Requests* the Secretary-General to submit to the General Assembly at its sixty-eighth session a report on the implementation of the present resolution.

United Nations A/C.3/66/L.43

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Sixty-sixth session
Third Committee
Agenda item 69 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Albania, Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Iraq, Ireland, Israel, Italy, Japan, Jordan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, Norway, Palau, Panama, Poland, Portugal, Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Strengthening the role of the United Nations in enhancing periodic and genuine elections and the promotion of democratization

The General Assembly,

Reaffirming that democracy is a universal value based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Reaffirming also that, while democracies share common features, there is no single model of democracy and that democracy does not belong to any country or region, and reaffirming further the necessity of due respect for sovereignty and the right to self-determination,

Recognizing the importance of fair, periodic and genuine elections, including in new and transitioning democracies, to empower citizens to express their will and to promote successful transition to long-term sustainable democracies,

Recognizing also that free and fair elections should be free of intimidation, coercion and tampering of vote counts, and that all such acts should be sanctioned accordingly,

Stressing that democracy, development and respect for all human rights and fundamental freedoms are interdependent and mutually reinforcing,

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Reaffirming that Member States are responsible for organizing, conducting and ensuring free and fair electoral processes and that Member States, in the exercise of their sovereignty, may request that international organizations provide advisory services or assistance for strengthening and developing their electoral institutions and processes, including sending preliminary missions for that purpose,

Recalling its previous resolutions on the subject, in particular resolution 64/155 of 18 December 2009,

Reaffirming that United Nations electoral assistance and support for the promotion of democratization are provided only at the specific request of the Member State concerned,

Noting with satisfaction that increasing numbers of Member States are using elections as a peaceful means of discerning the will of the people, which builds confidence in representational governance and contributes to greater national peace and stability, and may contribute to regional stability,

Recalling the Universal Declaration of Human Rights, adopted on 10 December 1948,[1] in particular the principle that the will of the people, as expressed through periodic and genuine elections, shall be the basis of government authority, as well as the right freely to choose representatives through periodic and genuine elections, which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures,

Reaffirming the International Covenant on Civil and Political Rights,[2] the Convention on the Elimination of All Forms of Discrimination against Women[3] and the International Convention on the Elimination of All Forms of Racial Discrimination,[4] in particular that citizens, without distinction of any kind, have the right and the opportunity to take part in the conduct of public affairs, directly or through freely chosen representatives, and to vote and to be elected in genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors,

Stressing the importance, generally and in the context of promoting fair and free elections, of respect for the freedom to seek, receive and impart information, in accordance with the International Covenant on Civil and Political Rights, and noting in particular the fundamental importance of access to information and media freedom,

Recognizing the need for strengthening democratic processes, electoral institutions and national capacity-building in requesting countries, including the capacity to administer fair elections, promote the participation of women on equal terms with men, increase citizen participation and provide civic education in requesting countries in order to consolidate and regularize the achievements of previous elections and support subsequent elections,

Noting the importance of ensuring orderly, open, fair and transparent democratic processes that preserve the right of peaceful assembly,

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[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[4] Ibid., vol. 660, No. 9464.

Noting also that the international community can contribute to creating conditions which could foster stability and security throughout the pre-election, election and post-election periods in transitional and post-conflict situations,

Reiterating that transparency is a fundamental basis for free and fair elections, which contribute to the accountability of Governments to their citizens, which, in turn, is an underpinning of democratic societies,

Acknowledging, in this regard, the importance of international election observation for the promotion of free and fair elections and its contribution to enhancing the integrity of election processes in requesting countries, to promoting public confidence and electoral participation and to mitigating the potential for election-related disturbances,

Acknowledging also that extending invitations regarding international electoral assistance and/or observation is the sovereign right of Member States, and welcoming the decisions of those States that have requested such assistance and/or observation,

Welcoming the support provided by Member States to the electoral assistance activities of the United Nations, inter alia, through the provision of electoral experts, including electoral commission staff, and observers, as well as through contributions to the United Nations Trust Fund for Electoral Assistance, the Democratic Governance Thematic Trust Fund and the United Nations Democracy Fund,

Recognizing that electoral assistance, particularly through appropriate, sustainable and cost-effective electoral technology, supports the electoral processes of developing countries,

Recognizing also the coordination challenges posed by the multiplicity of actors involved in electoral assistance both within and outside the United Nations,

Welcoming the contributions made by international and regional organizations and also by non-governmental organizations to enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization,

1. *Welcomes* the report of the Secretary-General;[5]

2. *Commends* the electoral assistance provided upon request to Member States by the United Nations, and requests that such assistance continue on a case-by-case basis in accordance with the evolving needs and legislation of requesting countries to develop, improve and refine their electoral institutions and processes, recognizing that the responsibility for organizing free and fair elections lies with Governments;

3. *Reaffirms* that the electoral assistance provided by the United Nations should continue to be carried out in an objective, impartial, neutral and independent manner;

4. *Requests* the Under-Secretary-General for Political Affairs, in his role as United Nations focal point for electoral assistance matters, to continue to inform Member States regularly about the requests received and the nature of any assistance provided;

[5] A/66/314.

5. *Requests* that the United Nations continue its efforts to ensure, before undertaking to provide electoral assistance to a requesting State, that there is adequate time to organize and carry out an effective mission for providing such assistance, including the provision of long-term technical cooperation, that conditions exist to allow a free and fair election and that the results of the mission will be reported comprehensively and consistently;

6. *Notes* the importance of adequate resources for the administration of efficient and transparent elections at the national and local levels, and recommends that Member States establish appropriate internal funding mechanisms for those elections, where feasible;

7. *Recommends* that, throughout the timespan of the entire electoral cycle, including before and after elections, as appropriate, based on a needs assessment and in accordance with the evolving needs of requesting Member States, bearing in mind sustainability and cost-effectiveness, the United Nations continue to provide technical advice and other assistance to requesting States and electoral institutions in order to help to strengthen their democratic processes, also bearing in mind that the relevant office may additionally provide assistance in the form of mediation and good offices, upon the request of Member States;

8. *Notes with appreciation* the additional efforts being made to enhance cooperation with other international, governmental and non-governmental organizations in order to facilitate more comprehensive and needs-specific responses to requests for electoral assistance, encourages those organizations to share knowledge and experience in order to promote best practices in the assistance they provide and in their reporting on electoral processes, and expresses its appreciation to those Member States, regional organizations and non-governmental organizations that have provided observers or technical experts in support of United Nations electoral assistance efforts;

9. *Acknowledges* the aim of harmonizing the methods and standards of the many intergovernmental and non-governmental organizations engaged in observing elections, and in this regard expresses appreciation for the Declaration of Principles for International Election Observation and the Code of Conduct for International Election Observers, which elaborate guidelines for international electoral observation;

10. *Recalls* the establishment by the Secretary-General of the United Nations Trust Fund for Electoral Assistance, and, bearing in mind that the Fund is currently close to depletion, calls upon Member States to consider contributing to the Fund;

11. *Encourages* the Secretary-General, through the United Nations focal point for electoral assistance matters and with the support of the Electoral Assistance Division of the Department of Political Affairs of the Secretariat, to continue responding to the evolving nature of requests for assistance and the growing need for specific types of medium-term expert assistance aimed at supporting and strengthening the existing capacity of the requesting Government, in particular by enhancing the capacity of national electoral institutions;

12. *Requests* the Secretary-General to provide the Electoral Assistance Division with adequate human and financial resources to allow it to carry out its mandate, including to enhance the accessibility and diversity of the roster of electoral experts and the Organization's electoral institutional memory, and to

continue to ensure that the Office of the United Nations High Commissioner for Human Rights is able to respond, within its mandate and in close coordination with the Division, to the numerous and increasingly complex and comprehensive requests from Member States for advisory services;

13. *Reiterates* the need for ongoing comprehensive coordination, under the auspices of the United Nations focal point for electoral assistance matters, between the Electoral Assistance Division and the United Nations Development Programme and the Department of Peacekeeping Operations and the Department of Field Support of the Secretariat to ensure coordination and coherence and avoid duplication of United Nations electoral assistance, and encourages further engagement of the Office of the United Nations High Commissioner for Human Rights in this context;

14. *Requests* the United Nations Development Programme to continue its democratic governance assistance programmes in cooperation with other relevant organizations, in particular those that promote the strengthening of democratic institutions and linkages between civil society and Governments;

15. *Reiterates* the importance of reinforced coordination within and outside the United Nations system, and reaffirms the clear leadership role within the United Nations system of the United Nations focal point for electoral assistance matters, including in ensuring system-wide coherence and consistency and in strengthening the institutional memory and the development, dissemination and issuance of electoral policies;

16. *Requests* the Secretary-General to report to the General Assembly at its sixty-seventh session on the implementation of the present resolution, in particular on the status of requests from Member States for electoral assistance, and on his efforts to enhance support by the Organization for the democratization process in Member States.